IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

WEDNESDAY, THE 7TH NOVEMBER 2007 / 16TH KARTHIKA 1929

WP(C).No. 31584 of 2007(I)

PETITIONERS:
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1. **AUGUSTY E.M., DEPUTY RANGER, AKAMALA FOREST DIVISION, TRICHUR DIVISION, RESIDING AT ELAYADATHU, MAITHIRI P.O., RAMAPURAM, PALA.**

2. **M.K.VIDHYADHARAN, FORESTER, VETTIKAD GOVERNMENT TIMBER DEPOT, THALAYOLAPARAMBU, RESIDING AT MANASSERIL, POLASSERY, VAIKOM.**

BY ADV. SRI.S.KRISHNAMOORTHY

RESPONDENTS:
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1. **STATE OF KERALA REP. BY THE SECRETARY, FORESTS AND WILF LIFE DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.**

2. **THE CHIEF FOREST CONSERVATOR, ADMINISTRATION, FOREST HEAD QUARTERS, THIRUVANANTHAPURAM.**

BY GOVERNMENT PLEADER SRI.BEJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI,J.

W.P (C) No. 31584 of 2007

Dated this the 7th November, 2007

J U D G M E N T

The 1st petitioner is a Deputy Ranger and the 2nd petitioner is a Forester working in the Forest Department. According to them, on completion of 23 years of service, they are entitled to Time Bound Higher Grade. This was granted to them but later respondents proposed to cancel the grant on the premise that the petitioners have not completed necessary forester training. Petitioners' claim that since they have crossed the age of 50 they are entitled to be exempted from Foresters Training. Apparently, the 2nd respondent has recommended that the grant of Higher Grade to the petitioners should be retained.

2. This writ petition was filed when the petitioners apprehended that the Higher Grade already granted to them is sought to be recovered pursuant to Exhibit-P3.

After having heard the learned counsel for the petitioners and the learned Government Pleader, this writ petition is disposed of directing the 1st respondent to consider Exhibit-P12 representation filed by the petitioners (produced along with I.A.14711/2007) and take a decision thereon, after hearing the

petitioners, within a period of three months from the date of receipt of a copy of this judgment. Recovery of amounts already granted to the petitioners shall be kept in abeyance, pending a decision by the Government, as aforementioned.

(V.GIRI, JUDGE)

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K.THANKAPPAN,J

CRL.A. NO.92 OF 1999

ORDER

25th May, 2007